

REMARKS

I. Status

Claims 1 and 21 have been amended, and claim 25 has been added. No new matter has been added as a result. Support for amended claims 1 and 21 can be found on at least page 5, lines 3-15; page 13, line 30 – page 14, line 24; and page 6, line 17 – page 7, line 26 of Applicants' specification as well as Figures 2-3 and 5. Support for new claim 25 can be found on at least page 9, line 24 – page 10, line 18 of Applicants' specification as well as Figures 2 and 4. Accordingly, claims 1-25 are currently pending.

II. Rejections Under 35 U.S.C. § 102

Claims 1-24 were rejected under 35 U.S.C. §102(b) as being anticipated by SimCity (User's Manual for SIM CITY 2000) and SimCopter (User's Manual for SIM COPTER: Fly Missions In The Metropolis).

Claim 1 and Dependents

Claim 1 recites, *inter alia*, "selecting, by a game developer, from an inventory of map database products, a map database that contains data that represents a road network located in a real-world geographic area to be depicted as part of a playing scenario of a computer game, wherein the data that represents the road network includes geographic coordinates of positions of roads and turn restrictions at intersections of the roads, and wherein the map database products are provided by a map developer separate from the game developer," "selecting, by the game developer, from a game shells inventory a game shell data structure that includes basic logic, rules, strategy, and characters for the computer game," "combining, by the game developer, the map database and the game shell data structure in a computer game product," and "providing the computer game product to an end user separate from the game developer and the map developer." Neither of the cited references teaches or suggests at least these features.

SimCopter discloses pre-made cities, called career cities, that are included in the game. (SimCopter, page 3). Also, an end user may develop or build cities via SimCity 2000. (SimCopter, page 3). An end user is able to be a pilot within the Career Cities or cities built by him or her. (SimCopter, page 3).

SimCity discloses a building game that allows an end user to create and try to increase the size of cities. (SimCity, page 2). An end user can take over and run any of the included scenario cities (pre-built cities) or build a city from ground up. (SimCity, pages 2 and 10).

However, neither of the references teaches or suggests selecting, by a *game developer*, from an inventory of map database products, a map database that contains data that represents features located in a *real-world* geographic area to be depicted as part of a playing scenario of a computer game in which the game developer is *separate* from an end user. SimCopter and SimCity merely disclose that an end user, not a game developer, is able to choose a city to play in for either game. There is no teaching or suggestion of a game developer, not an end user, selecting a map database from an inventory of map database products.

There is no teaching or suggestion of *providing* map database products to a *game developer* by a *separate map developer*. SimCopter and SimCity disclose creating cities or using pre-made cities in a game by an end user of the game, but there is no teaching or suggestion of providing map database products to a game developer (the creators of the SimCopter and the SimCity games), let alone providing map database products by a map developer that is separate from the game developer and an end user.

There is no teaching or suggestion of selecting a game shell data structure from a game shells inventory by the *game developer*, separate from an end user. Also, there is no teaching or suggestion of a *game developer* combining the selected map database and the selected game shell data structure in a computer game product, which is supplied to an end user that is different and separate from the game developer and the map developer.

Furthermore, there is no teaching or suggestion of a map database that contains data that represents features located in a *real-world* geographic area. SimCopter and SimCity disclose career cities or scenario cities, but there is no mention that these cities represent real-world cities. The pre-made cities may be fictional cities used for gaming and simulation purposes. The Examiner asserts that an end user may take the time and mimic a real-world map. (Office Action, page 2). However, just because an end user may or may not mimic a real-world map does not mean the cited references specifically teach or suggest a map database that

contains data that represents features located in a real-world geographic area to anticipate the claimed features.

Also, the cited references do not teach or suggest data that represents a *road network* that includes *geographic coordinates of positions of roads* and *turn restrictions at intersections of the roads*. SimCopter and SimCity disclose the use of pre-made or user generated cities. However, there is no teaching or suggestion that the city data used in the cited games include geographic coordinates of positions of real world roads *and* real turn restrictions at intersections of the roads.

Accordingly, claim 1 is allowable for at least these reasons. Claims 2-20 depend, directly or indirectly, from allowable claim 1 and, therefore, are allowable for at least the same reasons.

Claim 21 and Dependents

Claim 21 recites features similar to the features of claim 1 described above. Some of the arguments made in regards to claim 1 appropriately apply to claim 21 as well. Furthermore, claim 21 recites, *inter alia*, “wherein a portion of the map data products include various kinds of information including geographic coordinates of positions of roads, street names of the roads, and turn restrictions at intersections of the roads” and “wherein the portion of the map data products are derived from a database suitable for vehicle navigation on roads in the respective real-world geographic locales.” Neither of the cited references teaches or suggests at least these features.

Neither SimCopter nor SimCity discloses a database suitable for real-world vehicle navigation, let alone data *derived* from a *database* suitable for *vehicle navigation* on *roads* in respective *real-world* geographic locales. Graphical cities made by an end user or pre-made cities used for gaming disclosed by the cited references are not the same as data derived from a database that is used for vehicle navigation-related functions, such as route calculation, route guidance, destination time, and other functions, on real roads. The cities in the cited games or data thereof are not derived from a database that includes navigation-related attributes for real-world road navigation. For example, there is no teaching or suggestion of navigation-related attributes, such as turn restriction content, speed limit information, and other attributes, of a real road network to perform navigation-related functions.

Also, the cited references do not teach or suggest map data products that include various kinds of information including *geographic coordinates of positions of roads, street names of the roads, and turn restrictions at intersections of the roads*. SimCopter and SimCity disclose the use of pre-made or user generated cities. However, there is no teaching or suggestion that the city data used in the cited games include geographic coordinates of positions of real world roads, real street names, *and* real turn restrictions at intersections of the roads.

Accordingly, claim 21 is allowable for at least these reasons. Claims 22-24 depend from allowable claim 21 and, therefore, are allowable for at least the same reasons.

Furthermore, one or more of the dependent claims recite features that are independently allowable. For example, claims 8-10 recite, *inter alia*, a geographic application programming interface. Specifically, claim 9 recites that the geographic application programming interface includes a set of queries by which game engine components in the computer game can request geographic data from a map database, and claim 10 recites that the geographic application programming interface provides for spatial queries for geographic data from a map database by components of the computer game. Neither of the cited references teaches or suggests a *geographic application programming interface* and the other recited features. The Examiner asserts that a geographic application programming interface is inherent in the cited references. (Office Action, page 3). However, “the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic.” (MPEP § 2112, part IV). SimCopter and SimCity may bring up or access image data using a technique that does not implement a geographic application programming interface, let alone a geographic application programming interface that provides for *spatial queries*.

Claim 19 recites, *inter alia*, “wherein the inventory of map database products includes map databases that represent a locale for different purposes, wherein the purposes are selected from a group consisting of: auto, pedestrian, bicycle, and aircraft.” Neither of the references teaches or suggests at least these features. There is no teaching or suggestion of map database products *provided by a map*

developer separate from a game developer and an end user in which the map database products include databases for pedestrian, auto, bicycle, and/or aircraft purposes. For example, a database for pedestrian purposes may have data regarding real world footpaths and hiking trails while an auto database may have data regarding real world road networks.

Claim 20 recites, *inter alia*, “wherein the inventory of map database products includes map databases that represent a locale with different levels of accuracy.” The Examiner asserts that a player or end user can modify a city in SimCity or SimCopter to impact the accuracy level. (Office Action, page 4). However, the cited references do not teach or suggest map databases of a locale at different levels of accuracy in which the databases at different levels of accuracy are *provided by a map developer separate from an end user or game developer*.

New Claim 25

Claim 25 recites features that are not taught or suggested by the cited references. Accordingly, claim 25 is allowable.

III. Summary

It is respectfully asserted that all of the pending claims are patentable over the cited references, and allowance of the pending claims is earnestly solicited. If the Examiner believes that a telephone interview would be helpful in resolving any outstanding issues, the Examiner is respectfully invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Adil M. Musabji/

Adil M. Musabji
Reg. No. 58,728
Attorney for Applicants

NAVTEQ North America, LLC
425 West Randolph Street
Chicago, Illinois 60606
(312) 780-3054